

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

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|----------------------------------|---|---------------------------|
| KAREN GILL, <i>et al.</i> , | * | |
| Plaintiffs, | * | |
| vs. | * | CASE NO. 4:12-CV-77 (CDL) |
| KEVIN HARTSHORN, <i>et al.</i> , | * | |
| Defendants. | * | |

O R D E R

Intervenor Plaintiffs Michael Gill, Steve Thomas, and Wallace Whitten ("Intervenor Plaintiffs") and Defendants Loren Gill and Elm Leasing, LLC ("Elm Defendants") filed a motion for additional limited discovery (ECF No. 163). These parties seek additional discovery to (1) obtain a recent settlement between Plaintiffs Karen and Lauren Gill and the Hartshorn Defendants and (2) conduct discovery related to the expert report and amended expert report of Robert Behar.¹ Neither Plaintiffs nor the Hartshorn Defendants oppose the motion for additional discovery, and the motion is granted.

The Court previously extended discovery to permit Plaintiffs to submit Behar's amended expert report, and that discovery period closes on December 20, 2013. Accordingly, if

¹ The Hartshorn Defendants include Kevin Hartshorn, Daniel Van Gasken, Jay Nicol, Eastern Property Development, LLC, South East Enterprise Group, LLC, EPD-1 Holding Trust, EPD-2 Holding Trust, SEE Holding Trust, the Church of Compassionate Service, and the Compassionate Order of Service of the Church of Compassionate Service.

Plaintiffs have not already produced Behar's amended report, they shall produce it on or before December 20, 2013. In addition, Plaintiffs and the Hartshorn Defendants shall provide the other parties with the terms of their settlement agreement on or before Friday, December 20, 2013.

Discovery is reopened for the limited purpose of conducting discovery regarding Behar's amended expert report and the settlement agreement. The parties will have until February 18, 2014, to conduct this additional discovery.² If Intervenor Plaintiffs and the Elm Defendants wish to retain an expert to rebut Behar's findings, they shall do so during the reopened discovery period. The Court plans to rule on the remaining pending motions by early January, and the case will be on the docket for the Court's March 2014 trial term. Therefore, any additional discovery extensions are unlikely.

In light of this Order, the motions to exclude Behar's testimony (ECF Nos. 133 & 135) are denied.

IT IS SO ORDERED, this 10th day of December, 2013.

S/Clay D. Land

CLAY D. LAND
UNITED STATES DISTRICT JUDGE

² If the Hartshorn Defendants intend to rely on the work of Ronald J. Houle, then Houle's expert report shall be produced by December 20, 2013, and the Hartshorn Defendants shall make Houle available for a deposition during the reopened discovery period.